

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

MAXWELL KADEL, *et al.*,

Plaintiffs,

v.

DALE FOLWELL, in his official capacity as
State Treasurer of North Carolina, *et al.*,

Defendants.

Case No. 1:19-cv-00272-LCB-LPA

DECLARATION OF OMAR GONZALEZ-PAGAN

Pursuant to 28 U.S.C. § 1746, I, Omar Gonzalez-Pagan, do hereby declare as follows:

1. I am over 18 years of age.
2. I am a Senior Attorney at Lambda Legal Defense and Education Fund, Inc. and serve as counsel of record for the plaintiffs in the above-captioned matter.
3. I have personal knowledge of the stated herein, except those stated on information and belief, and if called upon, could and would testify competently to them.
4. I submit this declaration in support of Plaintiffs' Motion to Exclude Expert Testimony of Dr. Paul W. Hruz.
5. Attached as **Exhibit A** is a true and correct copy of excerpts of the transcript of the deposition of Dr. Paul W. Hruz on September 29, 2021 taken in relation to the above-captioned matter.

6. Attached as **Exhibit B** is a true and correct copy of the expert witness report of Dr. Paul W. Hruz, M.D., Ph.D. (including a copy of his curriculum vitae) in the above-captioned matter, which is dated April 30, 2021, was served upon plaintiffs on May 1, 2021, and was entered as Exhibit 1 to Dr. Hruz's deposition in this matter on September 29, 2021.

7. Attached as **Exhibit C** is a true and correct copy of excerpts of the transcript of the deposition of Dr. Paul W. Hruz on November 20, 2017 taken in relation to *Adams by & through Kasper v. Sch. Bd. of St. Johns Cty., Fla.*, 318 F. Supp. 3d 1293 (M.D. Fla. 2018), and which was entered as Exhibit 2 to Dr. Hruz's deposition in this matter on September 29, 2021.

8. Attached as **Exhibit D** is what I understand, upon information and belief, to be a true and correct copy of the transcript of the deposition of Dr. Paul W. Hruz on July 16, 2018 taken in relation to *Bruce v. South Dakota*, No. 17-cv-05080 (D.S.D), and which was entered as Exhibit 3 to Dr. Hruz's deposition in this matter on September 29, 2021.

9. Attached as **Exhibit E** is a true and correct copy of the article "Gender nonconforming youth: current perspectives," published in the scientific journal *Adolescent Health, Medicine and Therapeutics* on May 25, 2017, and which was entered as Exhibit 8 to Dr. Hruz's deposition in this matter on September 29, 2021.

10. Attached as **Exhibit F** is a true and correct copy of excerpts of *Understanding the Well-Being of LGBTQI+ Populations*, a Consensus Study Report of the

National Academies of Sciences, Engineering, and Medicine published in 2020, and which was entered as Exhibit 12 to Dr. Hruz's deposition in this matter on September 29, 2021.

11. Attached as **Exhibit G** is a true and correct copy of a printout of the webpage "Understanding Unapproved Use of Approved Drugs 'Off Label,'" published by the U.S. Food and Drug Administration, and which was entered as Exhibit 15 to Dr. Hruz's deposition in this matter on September 29, 2021.

12. Attached as **Exhibit H** is a true and correct copy of "Policy Statement: Off-Label Use of Drugs in Children" from the American Academy of Pediatrics, which was published in the scientific journal *Pediatrics* on March 2014 and was entered as Exhibit 17 to Dr. Hruz's deposition in this matter on September 29, 2021.

13. Attached as **Exhibit I** is a true and correct copy of Declaration of Dr. Norman P. Spack, M.D., dated December 5, 2017, which was filed in *Adams by & through Kasper v. Sch. Bd. of St. Johns Cty., Fla.*, 318 F. Supp. 3d 1293 (M.D. Fla. 2018), and which was entered as Exhibit 19 to Dr. Hruz's deposition in this matter on September 29, 2021.

14. Attached as **Exhibit J** is a true and correct copy of excerpts of the transcript of the deposition of Kim Hutton on December 5, 2017 taken in relation to *Adams by & through Kasper v. Sch. Bd. of St. Johns Cty., Fla.*, 318 F. Supp. 3d 1293 (M.D. Fla. 2018).

15. Attached as **Exhibit K** is a true and correct copy of a printout of the web-page "I International Conference on Gender, Sex and Education in Madrid against the LGBTI doctrine which is taking hold of Western countries is a resounding success,"

published by the Gender and Sex Conference on February 28, 2018, and which was entered as Exhibit 6 to Dr. Hruz's deposition in this matter on September 29, 2021.

16. Attached as **Exhibit L** is a true and correct copy of the article "Do Clinical Data From Transgender Adolescents Support the Phenomenon of 'Rapid-Onset Gender Dysphoria'?", accepted for publication in the scientific journal *The Journal of Pediatrics* on November 10, 2021, and published online on November 15, 2021.

17. Attached as **Exhibit M** is a true and correct copy of excerpts of the transcript of the deposition of Dr. Patrick Lappert on September 30, 2021 taken in relation to the above-captioned matter.

I declare under the penalty of perjury that the foregoing is true and correct.

Dated this 2nd day of February, 2022.

/s/ Omar Gonzalez-Pagan
Omar Gonzalez-Pagan